

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**TIMOTHY MCDERMOTT,**

**Plaintiff,**

**v.**

**LVNV FUNDING, LLC**

**Defendant.**

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**CASE NO. 2:21-cv-101**

**NOTICE OF REMOVAL**

**PLEASE TAKE NOTICE** that on this date, Defendant LVNV Funding, LLC hereby removes the above-captioned matter to this Court from the Court of Common Pleas of Allegheny County, Pennsylvania and in support thereof avers as follows:

1. LVNV is a defendant in a civil action originally commenced on or about December 7, 2020 in the Court of Common Pleas of Allegheny County, Pennsylvania titled *Timothy McDermott v. LVNV Funding, LLC* and docketed to Case No. AR-20-004898.

2. LVNV received service of Plaintiff's Complaint on December 24, 2020.

3. The removal is timely under 28 U.S.C. § 1446(b).

4. Pursuant to 28 U.S.C. § 1446, attached here as Exhibit A are copies of all process, pleadings, and orders filed in the state court action.

5. The District Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331, in that Plaintiff has filed claims against LVNV alleging violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.*

6. On this date, LVNV has provided notice of this Removal to counsel for Plaintiff and to the Court of Common Pleas of Allegheny County, Pennsylvania.

WHEREFORE, Defendant LVNV Funding, LLC respectfully removes this case to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

**MESSER STRICKLER, LTD.**

By: /s/ Lauren M. Burnette  
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*Counsel for Defendant*

Dated: January 25, 2021

**CERTIFICATE OF SERVICE**

I certify that on January 25, 2021, a true copy of the foregoing document was served  
as follows:

*Via Email and U.S. Mail, Postage Prepaid*

Mark G. Moynihan  
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*Via Electronic Filing*

Court of Common Pleas  
Allegheny County  
414 Grant St.  
Pittsburgh, PA 15219

**MESSER STRICKLER, LTD.**

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*Counsel for Defendant*

Dated: January 25, 2021